

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

JEFFREY JAY HARKLESS,)	
)	
Plaintiff,)	No. 13cv2002 EJM
vs.)	
)	ORDER
CAROLYN W. COLVIN,)	
ACTING COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

This matter is before the court on plaintiff's largely unresisted Application for Attorney's Fees and Costs, pursuant to 5 U.S.C. section 504A(1), filed August 21, 2013. Defendant filed its response on September 3, 2013, responding only to the identity of the payor. Granted.

On July 18, 2013, this matter was reversed and remanded for further consideration in accordance with the opinion. Plaintiff seeks attorneys' fees of \$3,412.50 pursuant to the Equal Access to Justice Act (EAJA), 28 USC §2412(d), as well as \$350 in costs, which represents the filing fee. Defendant responds with no resistance to the fact of or the amount of the EAJA \$3,412.50 attorneys' fees, but requests that it be paid from the Social Security Administration directly to the plaintiff as litigant, presumably so that it may be subject to an offset arising from a pre-existing debt owed to the government. Astrue v. Ratliff, 130 S. Ct. 2521 (2010). Defendant has no objection to the \$350 costs from the Judgment Fund. Plaintiff has filed no objection to having the SSA pay the EAJA fee.


The motion shall be granted, and the EAJA fee paid from the SSA.

It is therefore

ORDERED

Granted. Plaintiff is awarded \$3,412.50 to be paid by the Social Security Administration. Plaintiff is awarded \$350 to be paid by the Judgment Fund administered by the US Treasury

September 25, 2013.



Edward J. McManus, Judge
UNITED STATES DISTRICT COURT